

REMARKS

After entry of the foregoing amendment, claims 5, 11, 14, 18, 21 and 23-47 are pending in the application.

The withdrawal of the prior rejection is noted with appreciation. Claims 1-4, 10, 13, 15 and 22 now stand rejected as anticipated by Durst (20010011276); claims 5, 11, 13, 18 and 22-25 stand rejected as obvious over Durst in view of Rhoads (6,427,020). The rejections are respectfully traversed.

As to Rhoads '020, it is commonly owned with the present application. In particular, Rhoads and the subject matter claimed – at the times these respective inventions were made - were owned or subject to an obligation of assignment to the same person (*i.e.*, Digimarc Corporation). As such, Rhoads is not understood to be available in an obviousness rejection of the claims, per § 103(c)(1). This rejection is not further belabored.

Claims 5, 11, 18, and 23-25 are thus believed to be properly patentable over the art. These claims have been rewritten, as necessary, into dependent form, and should now be in condition for allowance.

To expedite issuance of a notice of allowance (there have been five Official Actions to date), applicant has canceled claims 1-4, 10, 13, 15 and 22, which were rejected based on Durst alone, and will continue prosecution of such claims – including presenting arguments re Durst if necessary, in a continuing application.

Claims 26-47 are newly added. All are dependent from claims believed to be in condition for allowance.

Claims 26, 30, 37 and 44 specify that the machine-readable digital data recited in certain earlier claims is electromagnetically, and not optically, received from the poster. Support therefor is found, e.g., at page 54, lines 26-27 of the specification.

Claims 27, 31, 34, 38, 41 and 45 specify that the appliance recited in certain earlier claims includes functions of both a palmtop computer and a digital camera, and that the method includes – under control of a user of said appliance – snapping an image of said poster, from which image the digital data is then decoded. Support therefor is found, e.g., at page 71, lines 23-25 (Appendix A).

Claims 28, 32, 35, 39, 42 and 46 specify that earlier methods includes presenting plural options from which a user can select a desired follow-up action, where the plural options depend on the digital data. Claims 29, 33, 36, 40, 43 and 47 further detail these options. Support therefor is found, e.g., at page 71, line 26 – page 72, line 1 (Appendix A).

Favorable consideration and passage to issuance are solicited.

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Respectfully submitted,

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